

17D-1-212 Action to challenge the creation of a special service district or a service to be provided.

- (1) A person may file an action in district court challenging the creation of a special service district or a service that a special service district is proposed to provide if:
 - (a) the person filed a written protest under Section 17D-1-206;
 - (b) the person:
 - (i)
 - (A) is a registered voter within the special service district; and
 - (B) alleges in the action that the procedures used to create the special service district violated applicable law; or
 - (ii)
 - (A) is an owner of property included within the boundary of the special service district; and
 - (B) alleges in the action that:
 - (I) the person's property will not be benefitted by a service that the special service district is proposed to provide; or
 - (II) the procedures used to create the special service district violated applicable law; and
 - (c) the action is filed within 30 days after the date that the legislative body adopts a resolution or ordinance creating the special service district.
- (2) If an action is not filed within the time specified under Subsection (1), a registered voter or an owner of property located within the special service district may not contest the creation of the special service district or a service that the special service district is proposed to provide.

Enacted by Chapter 360, 2008 General Session